

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

WILLIE EVERETT, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CASE NO. 4:17CV230 HEA
	)	
AURORA PUMP COMPANY, et al.,	)	
	)	
Defendants.	)	

**OPIONION, MEMORANDUM AND ORDER**

This matter is before the Court on Defendant Eaton Corporation, as successor-in-interest to Cutler-Hammer, Inc.’s Motion for Ruling without further Briefing or Oral Argument on its Motion to Dismiss for Lack of Personal Jurisdiction, [Doc. No. 296]. Plaintiff did not file a response to the Motion to Dismiss. For the reasons set forth below, the Motions will be granted.

**Background**

Defendants removed this matter to federal court from the Circuit Court of the City of St. Louis, Missouri, on January 19, 2017. According to the Petition, Defendants maintain registered agents in the state of Missouri, and are engaged in business in Missouri. Plaintiff Willie Everett is a resident of Missouri who was exposed to and inhaled, ingested or otherwise absorbed asbestos fibers and/or

asbestiform fibers emanating from certain products he was working with and around which were manufactured, sold, distributed or installed by Defendants.

Defendant moves to dismiss the action under Rule 12(b)(2) of the Federal Rules of Civil Procedure for lack of personal jurisdiction. For the reasons set forth in the Court's June 27, 2017 Opinion, Memorandum and Order, Defendant's Motion to Dismiss for Lack of Personal Jurisdiction, [Doc. No. 295], motion is well taken and will be granted.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant Eaton Corporation's Motion for Ruling without further Briefing or Oral Argument on its Motion to Dismiss for Lack of Personal Jurisdiction, [Doc. No. 296], is granted.

**IT IS FURTHER ORDERED** that Eaton Corporation is dismissed from this action.

Dated this 29<sup>th</sup> day of June, 2017.

A handwritten signature in black ink, reading "Henry Edward Autrey", with a long horizontal line extending to the right.

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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE